

Order

Entered: November 4, 2003

**Michigan Supreme Court
Lansing, Michigan**

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

ADM File Nos. 2002-06
2003-02

Proposed Amendment of Rule 2 of the
Rules for the Board of Law Examiners

On order of the Court, this is to advise that the Court is considering an amendment of Rule 2 of the Rules for the Board of Law Examiners. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal, or to suggest alternatives. The Court welcomes the views of all. This matter also will be considered by the Court at a public administrative hearing. The schedules and agendas for such hearings are posted at www.courts.michigan.gov/supremecourt.

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Underlining indicates new text and strikeover indicates text being deleted.]

Rule 2 Admission by Examination

(A) [Unchanged.]

(B) Before taking the examination, the applicant must obtain a JD, ~~LLB~~, or LLM degree from a reputable and qualified law school that

- (1) is incorporated in the United States, its territories, or the District of Columbia; and
- (2) requires for graduation 3 school years of study for full-time students, and 4 school years of study for part-time or night students. A school year must be at least 30 weeks.

A law school approved by the American Bar Association is reputable and qualified. Other schools may ask the Board to approve the school as reputable and qualified. In the event the law school has ceased operations since an applicant's graduation, the request for approval may be made by the applicant. If the applicant has obtained an LLM degree from an approved law school, the applicant's JD or LLB need not be from an approved law school.

(C) - (F) [Unchanged.]

Staff Comment: The proposed amendments have been suggested by the Board of Law Examiners. The first would eliminate the so-called "LLM exception" for Bar admission by requiring that an applicant obtain a JD degree from a reputable and qualified law school before taking the Michigan Bar Examination. Under current rules, an applicant may sit for the examination after obtaining an LLM degree from an ABA-accredited law school, whether or not the applicant possesses a JD degree from such a school. This proposal is identical to one that the Court declined to adopt in 1998, but the Board has asked that it be reconsidered at this time. The elimination of the exception is advocated by the American Bar Association's Section of Legal Education and Admissions to the Bar. The references to the LLB degree would be deleted as obsolete. (ADM File No. 2002-06.)

The language that would be added to Rule 2(B)(2) would permit an applicant whose law school has ceased operations to request approval of the law school as reputable and qualified. (ADM File No. 2003-02.)

The staff comment is published only for the benefit of the bench and bar and is not an authoritative construction by the Court.

A copy of this order will be given to the secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on these proposals may be sent to the Supreme Court Clerk in writing or electronically by February 1, 2004, at P.O. Box 30052, Lansing, MI 48909, or MSC_clerk@courts.mi.gov. When filing a comment, please refer to ADM File Nos. 2002-06 and 2003-02. Your comments and the comments of others will be posted at www.courts.michigan.gov/supremecourt.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 4, 2003

Corbin R. Davis

Clerk